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20 **UNITED STATES DISTRICT COURT**
21
22 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

23 **EQUAL EMPLOYMENT**
24 **OPPORTUNITY COMMISSION,**

25 **Plaintiff,**

26 **v.**

27 **KMAN. PARTNERS d/b/a**
28 **QUALITYINN PT. RICHMOND; PT.**
29 **RICHMOND MANAGEMENT, INC.;**
30 **GONDO LYSTIO d/b/a DAYS INN PT.**
31 **RICHMOND; DAYS INNS**
32 **WORLDWIDE, INC.,; NARESH**
33 **PATEL d/b/a QUALITY INN PT.**
34 **RICHMOND; RAJENDRA PATEL**
35 **d/b/a QUALITY INN PT.**
36 **RICHMOND; ASHOK PATEL d/b/a**
37 **QUALITY INN PT. RICHMOND; MT.**
38 **ZION ENTERPRISES INC., MAHESH**
39 **D.AMIN d/b/a QUALITY**
40 **INN PT. RICHMOND,**

41 **Defendant.**

42 **Case No. C 07-01805-BZ**

43 **STIPULATION AND ORDER TO**
44 **CONTINUE CASE MANAGEMENT**
45 **CONFERENCE**

1 IT IS HEREBY STIPULATED by and between Plaintiff U.S. Equal Employment
2 Opportunity Commission (“Plaintiff”) and Defendant Mahesh Amin (collectively, “the
3 Parties”), through their respective counsel of record, as follows:

4 1. Plaintiff filed its Third Amended Complaint on November 11, 2007;

5 2. Defendant Amin filed an Answer on January 29, 2008

6 3. The Initial Case Management Conference was originally scheduled to
7 proceed before the Honorable Bernie Zimmerman on March 3, 2008 at 4:00 p.m.

8 4. The March 3, 2008 Case Management Conference was continued to May 5,
9 2008 initially to accommodate service of additional defendants and to allow the served
10 defendants time to commence potential settlement discussions with plaintiff. The Court
11 granted this continuance at the request and stipulation of the parties who had appeared in
12 the case.

13 5. The May 5, 2008 Case Management Conference was continued to June 23.
14 2008 upon request and stipulation by the parties who appeared in the action because the
15 parties had commenced serious settlement discussions and defendants in the case were
16 waiting for a settlement demand from plaintiff.

17 6. By the Court Clerk’s Notice dated June 2, 2008 the June 23, 2008 Case
18 Management Conference was continued to June 30, 2008 and deadline for filing the
19 Joint Case Management Conference Statement was continued to June 23, 2008.

20 7. The parties stipulate to and request one last continuance of the Case
21 Management Conference from June 30, 2008 to August 18, 2008, with the Joint Case
22 Management Conference Statement due August 11, 2008, or on dates thereafter as are
23 convenient for the Court.

24 8. The grounds for the parties’ request and stipulation are as follows:

25 9. The parties are engaged in active settlement discussions but still require
26 more time to negotiate a settlement;

27 10. Defendant Mahesh Amin’s counsel is out of the country starting on July 12,
28 2008 and returning to the office on August 4, 2008. Defendant Amin’s counsel requests

1 sufficient time upon return to the office to prepare and file the Joint Case Management
2 Conference Statement with the EEOC and file it with the Court by the proposed August
3 11, 2008 deadline;

4 11. Other defendants who have not been served are also represented by counsel
5 for purposes of potential settlement and will have to be served by the EEOC in the event
6 the case does not settle; and

7 12. The parties believe settlement negotiations will have played their full
8 course by mid-July or sooner, such that either this case will be settled between all parties
9 by then or the case will be ready to proceed by the proposed August 18, 2008 Case
10 Management Conference Date.

11 13. All defendants who have been served have been granted extensions of time
12 to August 4, 2008 by which to file a responsive pleading in the event the case does not
13 settle.

14 14. The parties recently received a Notice Re: Noncompliance with Court
15 Order pertaining to ADR Certification, Stipulation and [Proposed] Order Selecting ADR
16 Process or a Notice of Need for ADR Phone Conference and other ADR related
17 deadlines. The Notice is dated June 12, 2008. The parties respectfully request that
18 these deadlines also be postponed relative to the new Case Management Conference
19 being set. The parties agree to comply with the ADR requirements as set forth in the
20 local rules on or before the continued Case Management Conference on August 18,
21 2008 should the Court grant the continuance.

22 15. The parties thus request that the Court continue the Case Management
23 Conference one final time, along with other case management and ADR deadlines to
24 August 18, 2008 at 4:00 p.m. (with the Joint Case Management Statement due on or
25 before August 11, 2008) or as soon thereafter as is convenient for the Court.

26 16. Further the parties request that the Court grant an extension of time to allow
27 the parties to meet and confer and file the ADR Certification and either 1) a Stipulation
28 and [Proposed] Order Selecting ADR Process, or 2) Notice of Need for ADR Phone

Conference along with the Joint Case Management Conference Statement on or before August 11, 2008. The parties also request that the current Order dated June 12, 2008 be vacated.

Dated: June 17, 2008

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

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MAHESH AMIN

GOOD CAUSE APPEARING, IT IS SO ORDERED:

Dated: June 26, 2008

Bernard Zimmerman
Honorable Bernard Zimmerman

